



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 300
DENVER, COLORADO 80202-2466

March 2, 2004

Ref: 8ENF-W

CERTIFIED LETTER 7003-1010-0002-6364-4485
RETURN RECEIPT REQUESTED

Kevin Brown, Director
Division of Drinking Water
UT Dept. of Environmental Quality
P.O. Box 144830
Salt Lake City, UT 84114-4830

NOTICE OF VIOLATION

Docket No. **SDWA-08-2004-0014**

Re: Bristlecone Water
Improvement District
P.O. Box 640021
Bryce, UT 84764
PWS #UT4914191/#09077

Dear Mr. Brown:

The above-referenced public drinking water system has violated certain provisions of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f, et seq. and the National Primary Drinking Water Regulations at 40 C.F.R. part 141. The violations consist of failure to monitor for bacteriological quality; failure to monitor nitrates; failure to provide public notice of the violations; and failure to notify the State of the violations. Our records obtained from the Utah Department of Environmental Quality (DEQ) indicate the violations noted below. Please notify Gina Andrews at (303) 312-6688, or (800) 227-8917 ext. 6688, within 20 days if your records show any discrepancies with these determinations of violation.

Date of
Violation

Violation

1999, 2000, 2001
2002

Failure to provide public notice of
violations

1999, 2000, 2001
2002, 2003

Failure to report violations to the State

1 st Quarter 1999	Failure to monitor for bacteriological quality
2 nd Quarter 1999	
3 rd Quarter 1999	
4 th Quarter 1999	
1 st Quarter 2000	
2 nd Quarter 2000	
3 rd Quarter 2000	
4 th Quarter 2000	
1 st Quarter 2001	
3 rd Quarter 2001	
3 rd Quarter 2002	
4 th Quarter 2002	
2 nd Quarter 2003	
3 rd Quarter 2003	
4 th Quarter 2003	

1999, 2000, 2001 Failure to monitor for nitrate
2002, 2003

This NOTICE OF VIOLATION is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, the EPA is authorized either to issue an Administrative Order under section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g), requiring the public water system to comply with the regulations or requirements, or to commence civil action under section 1414(b) of the SDWA, 42 U.S.C. § 300g-3(b).

Please inform EPA of any change in the compliance status of this system. You may wish to confer with our staff to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will proceed with issuance of an administrative order. Our technical contact is Gina Andrews.

A copy of this NOTICE OF VIOLATION has been concurrently sent to the system identified above. Also enclosed for the system's benefit is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing

information on compliance assistance resources and tools available to small businesses. EPA has agreed to notify small businesses of their right to comment on regulatory enforcement activities at the same time as an Agency enforcement action. SBREFA does not eliminate a Respondent's responsibility to comply with the Act, nor does it create any new defenses under the law.

Sincerely,

SIGNED

Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

SIGNED

Michael T. Risner, Director
David J. Janik, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure (SBREFA)

cc: Ken Bousfield, UT DEQ DW
Neil Foster, Board of Trustees

IF YOU WOULD LIKE COPIES OF THE ATTACHMENTS, PLEASE CONTACT THE REGIONAL HEARING CLERK.

THIS DOCUMENT WAS FILED IN THE RHC'S OFFICE ON MARCH 2, 2004.

